

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that the following amendments be made: To strike out the words "State of Texas" in line 28, page 1, and line 4, page 2, original bill, and insert in lieu thereof in each place, the following: "Counties of San Patricio, Nueces, Cameron, Kleberg, Kenedy, Willacy, Hidalgo, Starr, Zapata, Webb, La Salle, Dimmit, McMullen, Jim Hogg, Duval, Brooks, and Jim Wells."

TURNER, Chairman.

Committee Room,

Austin, Texas, January 23, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Mining and Irrigation, to whom was referred

H. B. No. 17, A bill to be entitled "An Act requiring the Board of Water Engineers and the State Reclamation Engineer, in conformity to the statutes determining their powers and duties, to make, and cause to be made, and report to the Governor, an adequate topographic and hydrographic survey of the stream watersheds of the State, to the end that flood control, water conservation and economic utilization in reclamation development may be practicable, advancing all such work as found feasible in accordance with the relative importance to the public welfare; directing the order in which said surveys and reports shall be made; providing for an appropriation to carry out the provisions of this Act, and declaring an emergency."

Have had the same under consideration and beg to report the same back to the Senate with the recommendation that it do pass and be not printed, for the reason that the subject matter in this bill is covered in Senate Bill No. 43.

Respectfully submitted.

BLEDSON, Chairman.

Senate Chamber,

Austin, Texas, Jan. 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 129 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, Jan. 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 165 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

FOURTEENTH DAY.

Senate Chamber,

Austin, Texas,

Friday, January 26, 1923.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

Absent—Excused.

Bailey.	Murphy.
Dudley.	

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with, on motion of Senator Watts.

See Appendix for petitions and committee reports.

Excused.

Senator Bailey for yesterday and today, on account of important business, on motion of Senator Holbrook.

Bills.

By Senators Bowers, Strong, Cousins and Fairchild:

S. B. No. 203, A bill to be entitled "An Act to amend Articles 7315 to 7324 inclusive of Chapter 8, Title 124,

Revised Statutes, 1911, as amended by Chapter 169, General Laws, passed at the Regular Session of the Thirty-third Legislature, as amended by Chapter 111, General Laws, passed at the Regular Session of the Thirty-fourth Legislature, as amended further by Chapter 60, General Laws, passed at the Regular Session of the Thirty-fifth Legislature and as further amended by Chapter 10, General Laws, passed at the Fourth Called Session of the Thirty-sixth Legislature, all of which relate to the Live Stock Sanitary Commission, by adding a section thereto providing that under certain conditions and regulations cattle may be shipped from one point to another within the State of Texas."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Parr:

S. B. No. 204, A bill to be entitled "An Act creating the El Carre Independent School District, in Jim Wells County, Texas; defining its boundaries, providing a board of three trustees, and for the election of their successors, investing said district and its trustees with full powers, privileges, and duties as provided by general law for school districts, incorporated for free school purposes only; investing the trustees with the control of the public schools in said district, authorizing the levy and collection of taxes for certain purposes, authorizing the commissioners court of said county to levy, and the assessor to assess, and the collector to collect, under certain conditions, such taxes as the trustees of said school district shall request, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Parr:

S. B. No. 205, A bill to be entitled "An Act creating the Sheerin Independent School District in Jim Wells County, Texas; defining its boundaries, providing a board of three trustees, and for the election of their successors, investing said district and its trustees with full powers, privileges, and duties as provided by general law for school districts, incorporated for free school purposes only; investing the trustees with the control of the public schools in said district, authorizing the levy and col-

lection of taxes for certain purposes, authorizing the commissioners' court of said county to levy, and the assessor to assess, and the collector to collect, under certain conditions, such taxes as the trustees of said school district shall request, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Parr:

S. B. No. 206, A bill to be entitled "An Act creating the Dilworth Independent School District in Jim Wells County, Texas; defining its boundaries, providing a board of trustees, and for the election of their successors, investing said district and its trustees with full powers, privileges, and duties as provided by general law for school districts, incorporated for free school purposes only; investing the trustees with the control of the public schools in said district, authorizing the levy and collection of taxes for certain purposes, authorizing the commissioners' court of said county to levy, and the assessor to assess, and the collector to collect, under certain conditions, such taxes as the trustees of said school district shall request, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Baugh:

S. B. No. 207, A bill to be entitled "An Act to regulate the taking of fish from that part of fresh water streams situated within the limits of any incorporated city, town or village in this State; prescribing a penalty for the violation of this Act and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Baugh:

S. B. No. 208, A bill to be entitled "An Act to create the Talpa Independent School District in Coleman County, Texas, including the present Talpa District of said county, providing a Board of Trustees therefor, vesting said Independent School District and Board of Trustees with all the rights, powers, privileges and duties conferred upon Independent School Districts incorporated under the General Laws of Texas; providing that the Board of Trustees of the present Talpa District shall continue to act as such until their successors are elected in accordance

with the General Laws of Texas, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Baugh:

S. B. No. 209, A bill to be entitled "An Act directing and authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to locate, establish and develop a pecan station in the pecan growing area of Texas, authorizing the said board to accept donations of land, money or other property to be used in the establishment, development and management of said station, to co-operate with the Federal government and other agencies where advantageous, making appropriations therefor, and declaring an emergency."

Read first time and referred to Committee on Agricultural Affairs.

By Senator Murphy:

S. B. No. 210, A bill to be entitled "An Act to amend Subdivision 8 of Article 1140 of the Revised Statutes of 1911 of the State of Texas, so as to hereafter provide that any corporation formed under Subdivisions 1, 2 and 3, Article 1121 of said Revised Statutes may increase the number of its directors or trustees to not more than 75 instead of not more than 25, as now provided by said Subdivision 8 of said Article 1140, and to repeal all laws, or parts of laws, in conflict herewith."

Read first time and referred to Committee on State Affairs.

By Senator Murphy:

S. B. No. 211, A bill to be entitled "An Act fixing in counties having a population in excess of one hundred and fifty thousand inhabitants, the compensation of district attorneys and providing for the appointment of assistant district attorneys, investigators, stenographers, deputies and other employees and providing for their salaries and the manner of their payment, and repealing all laws in conflict herewith with exceptions, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Stuart:

S. B. No. 212, A bill to be entitled "An Act creating a board to be known as the State Board of Water Works

Examiners, and defining its personnel, their terms of office, duties and powers; defining water works operators, and authorizing said board to examine and issue license to water works operators, and to revoke same for good cause shown; fixing the fees to be paid by such licensees, and creating of same a special fund in the State Treasury; providing that the salaries and expenses of said board shall be paid out of said fund and no other; directing said board to issue license without examination to all persons engaged as water works operators on September 1st, 1923; making it a misdemeanor after July 1st, 1924, to practice as a water works operator without such license, fixing the penalty therefor, and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senators McMillin and Darwin:

S. B. No. 213, A bill to be entitled "An Act to provide for the organization or admission and regulation and taxation of incorporated mutual insurance companies, and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senators Bowers and Baugh, by request:

S. B. No. 214, A bill to be entitled "An Act to amend Chapter 37 of the Acts of the First Called Session of the Thirty-third Legislature of the State of Texas, being an Act to amend certain articles of Chapter 5, Title 14, Revised Criminal Statutes, 1911, and certain articles of Title 131, Revised Civil Statutes, 1911; Chapter 126 of the Acts of the Regular Session of the Thirty-sixth Legislature of Texas, being an Act to establish the uniform warehouse receipt, Chapter 54 of the Second Called Session of the Thirty-sixth Legislature of Texas, being an Act to amend Article 7819, Revised Civil Statutes of 1911; providing for the conduct of the business of public warehousemen; defining certain terms used in this Act; defining who are public warehousemen; providing that all persons shall obtain certificate from the Commissioner authorizing the operation of public warehouses; requiring bond to be filed for inspection of warehouses before issuing certificate; requiring quarterly reports and prescribing contents of same; requiring other reports to be made on request of Commissioner; providing

for canceling of certificates of warehousemen; prescribing duties of public warehousemen and providing for liens to secure their charges; providing for the enforcement of liens; providing for a uniform receipt and providing for its issuance and defining a warehouseman's powers, duties and liabilities thereunder; providing penalties for the enforcement of this Act; repealing certain Criminal Statutes and certain Civil Statutes and all laws and parts of laws in conflict with the provisions of this Act; and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Doyle:

S. B. No. 215, A bill to be entitled "An Act to amend Article 3883 of Chapter 4 of the General Laws of the State of Texas as passed by the Thirty-sixth Legislature at its Third Called Session, 1920, entitled 'An Act to amend Article 3883 of Chapter 130 of the General Laws of the State of Texas passed by the Thirty-fifth Legislature at its Regular Session, regulating the fees allowed county officers in certain counties in this State, and declaring an emergency,' so as to add to and include in the counties of this State having a population of thirty-seven thousand, according to the U. S. census of 1910, or a property tax valuation of forty million or wherein there now are or may hereafter exist an oil field consisting of as many as fifty producing oil or gas wells, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

Joint Resolutions.

By Senator Burkett:

S. J. R. No. 9, A joint resolution "Proposing to amend Section 50, Article 3, of the Constitution of the State of Texas, so that hereafter the Legislature shall have power to give or lend the credit of the State for the purchase and improvement of rural and urban homes."

Read first time and referred to the Committee on Constitutional Amendments.

By Senator Doyle:

S. J. R. No. 10, A joint resolution "Proposing an amendment to Section 51 of Article 3 of the Constitution of the State of Texas to provide that the Legislature may grant

pensions to Confederate soldiers, sailors and their widows, who have been citizens of Texas since prior to January 1, 1910, providing that all soldiers, sailors and their widows eligible under the provisions hereof shall be entitled to be placed upon the rolls and participate in the pension fund created hereunder; levying a tax of seven (\$.07) cents on the \$100.00 valuation of property in this State for the payment of said pension, providing that the Legislature may reduce the rate of pension for such purposes, fixing a time for the election to be held on such amendment, and making an appropriation to pay the expenses thereof."

Read first time and referred to the Committee on Constitutional Amendments.

By Senators Burkett, Holbrook, Cousins, Davis, Ridgeway, McMillin, Strong and Floyd:

S. J. R. No. 11, A joint resolution proposing an amendment to Article VIII of the Constitution of the State of Texas, which relates to taxation and revenues, by adding thereto a new section to be known as Section 9a, directing the Legislature to provide for the construction, operation and maintenance, under State control, of a State system of public highways; authorizing the Legislature to provide for the issuing of bonds of the State or other form of indebtedness for the construction of a State system of public highways, and to provide for the payment of said bonds; providing for an election for ratification or rejection of the amendments herein proposed, and making an appropriation to defray the expenses of said election."

Read first time and referred to Committee on Constitutional Amendments.

Relating to Leasing Penitentiaries.

The Chair laid before the Senate and had read, a communication from former Governor James. E. Ferguson, relating to the leasing of the State Penitentiary System.

Senator Bowers moved to refer the communication to the Committee on Penitentiaries.

Senator Bledsoe moved that the communication be returned to former Governor Ferguson with thanks, and with the information that there is no desire at this time on the part of the Senate to consider the leasing of the penitentiary system.

Senator Fairchild moved to table the motion to return the communication to the former Governor.

Question first recurring on the motion to table, yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas 10.

Clark.	Parr.
Burkett.	Pollard.
Doyle.	Rogers.
Fairchild.	Strong.
Floyd.	Wirtz.

Nays 17.

Baugh.	Rice.
Bledsoe.	Ridgeway.
Bowers.	Stuart.
Cousins.	Thomas.
Darwin.	Turner.
Davis.	Watts.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	

Absent.

Woods.

Absent—Excused.

Bailey.	Murphy.
Dudley.	

Question then recurred on the motion to return the communication to former Governor Ferguson; the motion to return was lost by the following vote:

Yeas 14.

Baugh.	Rice.
Bledsoe.	Ridgeway.
Bowers.	Stuart.
Darwin.	Thomas.
Davis.	Turner.
Lewis.	Witt.
McMillin.	Wood.

Nays 15.

The Chair.	Parr.
Burkett.	Pollard.
Clark.	Rogers.
Cousins.	Strong.
Doyle.	Watts.
Fairchild.	Wirtz.
Floyd.	Woods.
Holbrook.	

Absent—Excused.

Bailey.	Murphy.
Dudley.	

Question then recurring on the motion to refer the communication to the Committee on Penitentiaries, the motion prevailed.

Executive Session Postponed.

Pending consideration of the communication from former Governor James E. Ferguson, the Chair announced that the time set for holding an executive session for consideration of the Governor's recess appointments, had arrived.

On motion of Senator Darwin, the time for holding the executive session was postponed until next Tuesday, at 3 p. m.

Bills Re-referred.

On motion of Senator Burkett, H. B. No. 14, heretofore referred to the Committee on Civil Jurisprudence, was re-referred to the Committee on Criminal Jurisprudence.

On motion of Senator Burkett, S. B. No. 88, heretofore referred to the Committee on Criminal Jurisprudence, was re-referred to the Committee on Civil Jurisprudence.

**Simple Resolution No. 46
Recommitted.**

On motion of Senator Holbrook, Simple Resolution No. 46 was recommitted to the Committee on Insurance and Banking.

S. B. No. 62 on Engrossment.

Senator Clark called up S. B. No. 62, defining self-rising flour, which was read second time on January 22, and laid on the table subject to call.

The Chair laid the bill before the Senate and it was passed to engrossment.

S. B. No. 62 on Third Reading.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 62 was placed upon its third reading and final passage by the following vote:

Yeas 24.

Baugh.	Darwin.
Bledsoe.	Davis.
Bowers.	Doyle.
Clark.	Fairchild.
Cousins.	Floyd.

Lewis.	Strong.
McMillin.	Stuart.
Parr.	Thomas.
Pollard.	Wirtz.
Rice.	Witt.
Ridgeway.	Wood.
Rogers.	Woods.

Nays 4.

Burkett.	Turner.
Holbrook.	Watts.

Absent—Excused.

Bailey.	Murphy.
Dudley.	

The Chair laid the bill before the Senate, and it was read third time.

On motion of Senator Rogers, further consideration of the bill was postponed until after the morning call next Tuesday.

S. B. No. 84 on Engrossment.

The Chair laid before the Senate at this time, S. B. No. 84, relating to carrying concealed weapons, on its passage to engrossment, and with the following amendment, by Senator Rogers, pending:

Amend page 2 by adding after line 13, the following, "provided that none of the foregoing exceptions apply to persons participating in a masked parade."

A motion to reconsider the vote by which this amendment was tabled having been adopted on January 24.

Senator Rogers offered the following substitute for the amendment:

"Provided that none of the foregoing exceptions shall apply when the persons herein exempted from the operations of this Act shall be participating in public demonstrations and parades when such persons shall be masked or disguised, or their identity otherwise concealed."

The substitute was adopted.

The amendment as substituted was adopted.

Senator Doyle offered the following amendment to the bill:

Page 1, line 27, substitute "one" for "six," and in line 28, substitute "six months" for "one year."

Senator Witt offered the following substitute for the amendment:

By striking out the words "six months" in lines 27 and 28 and inserting "15 days."

Senator Wood offered the following amendment to the substitute:

Amend the substitute by striking out the words "15 days" and inserting in lieu thereof the following "one day" and adding "or on the county roads for that period of time."

The amendment to the substitute was lost.

Question then recurred on the substitute offered by Senator Witt, it was adopted.

The amendment as substituted was adopted.

Senator Baugh offered the following amendment to the bill:

Page 1, line 28, by adding immediately after the word "not" the following, "less than \$100.00 nor."

The amendment was adopted.

Senator Davis offered the following amendment to the bill:

By adding a new section immediately after section 2, designated Sec. 2a as follows: "Sec. 2a, provided, however, that this law shall not affect pending cases or violations of the existing law, which may have occurred prior to the time this Act becomes effective."

The amendment was adopted.

The bill was passed to engrossment.

(Senator Bledsoe in the Chair.)

S. B. No. 72 on Final Passage.

Senator Witt called up S. B. No. 72, relating to technicalities in cases on appeal which was read third time on January 23, and laid on the table subject to call.

The Chair laid the bill before the Senate.

Senator Witt offered the following amendment to the bill:

Amend S. B. No. 72, line 20 of the printed bill, by substituting a semi-colon (;) for the period (.) after the word "defendant," and add thereafter the following:

"By the expression technical errors, defects and exceptions is meant any error in procedure in the trial court which, in the opinion of the Court of Criminal Appeals, does not affect the result of the trial to the injury of the defendant."

Senator Fairchild offered the following amendment to the amendment:

Provided the court of Criminal Appeals shall at all times be bound by the Statutes of this State.

Bills Signed.

The Chair, Lieutenant Governor T. W. Davidson, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

S. B. No. 31.

Recess.

On motion of Senator Wood, the Senate at 12:05 p. m. recessed to 2:30 p. m. today.

Afternoon Session.

The Senate met at 2:30 p. m. and was called to order by Senator Darwin.

Senate Bill No. 72.

The Senate resumed consideration of S. B. No. 72, on its final passage, with amendment offered by Senator Fairchild to the amendment offered by Senator Witt, pending.

Senator Witt moved to table the amendment to the amendment.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas 17.

Baugh.	McMillin.
Bowers.	Ridgeway.
Cousins.	Stuart.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Watts.
Floyd.	Witt.
Holbrook.	Woods.
Lewis.	

Nays 7.

Bledsoe.	Rice.
Burkett.	Wirtz.
Fairchild.	Wood.
Parr.	

Absent.

Pollard.

Absent—Excused.

Bailey.	Dudley.
Clark.	Murphy.

(Pair Recorded.)

Senator Strong (present), who would vote nay; with Senator Rogers (absent), who would vote yea.

Question recurring on the amendment offered by Senator Witt, it was adopted by the following vote:

Yeas 18.

Baugh.	McMillin.
Bowers.	Rice.
Cousins.	Ridgeway.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Floyd.	Watts.
Holbrook.	Witt.
Lewis.	Woods.

Nays 6.

Bledsoe.	Parr.
Burkett.	Wirtz.
Fairchild.	Wood.

Absent.

Pollard.

Absent—Excused.

Bailey.	Dudley.
Clark.	Murphy.

(Pair Recorded.)

Senator Strong (present), who would vote nay; with Senator Rogers (absent), who would vote yea.

Question then recurred on the final passage of the bill.

Yeas and nays were demanded, and the bill passed by the following vote:

Yeas 14.

Baugh.	Rice.
Bowers.	Ridgeway.
Cousins.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Floyd.	Watts.
Lewis.	Witt.
McMillin.	Woods.

Nays 6.

Bledsoe.	Fairchild.
Burkett.	Parr.
Darwin.	Wirtz.

Absent.

Pollard.

Absent—Excused.

Clark.	Murphy.
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(Pairs Recorded.)

Senator Holbrook (present), who would vote yea; with Senator Bailey (absent), who would vote nay.

Senator Wood (present), who would vote nay; with Senator Dudley (absent), who would vote yea.

Senator Strong (present), who would vote nay; with Senator Rogers (absent), who would vote yea.

H. C. R. No. 8.

The Chair laid before the Senate for consideration at this time, H. C. R. No. 8, relating to appointment of a committee to locate penitentiaries of Texas.

The resolution was read.

Senator Cousins offered the following amendment to the resolution:

"Amend Resolution so as to read, 'a woman who is a citizen of Texas.'"

The amendment was adopted.

Senator Doyle offered the following amendment to the resolution:

"Amend Resolution by inserting 3 in lieu of 5 Senators and Representatives."

(Lieutenant Governor T. W. Davidson in the Chair.)

The amendment was adopted.

Senator Wood moved to reconsider the vote by which the amendment offered by Senator Doyle was adopted.

Yeas, and nays were demanded and the motion to reconsider prevailed by the following vote:

Yeas—12.

Bledsoe.	McMillin.
Cousins.	Parr.
Darwin.	Rice.
Davis.	Watts.
Fairchild.	Wirtz.
Holbrook.	Wood.

Nays—10.

Bowers.	Stuart.
Burkett.	Thomas.
Doyle.	Turner.
Ridgeway.	Witt.
Strong.	Woods.

Present—Not Voting.

Baugh.	Lewis.
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Absent.

Floyd.	Pollard.
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Absent—Excused.

Bailey.	Murphy.
Clark.	Rogers.
Dudley.	

On motion of Senator Wood, the amendment was tabled.

On motion of Senator Bowers, the resolution was then referred to the Committee on Penitentiaries.

S. B. No. 52 on Engrossment.

Senator Holbrook called up S. B. No. 52, relating to banking, which was read second time on January 18, and laid on the table subject to call.

The Chair laid the bill before the Senate on its passage to engrossment.

Senator Holbrook offered the following amendment to the bill:

"Page 4, lines 16 and 17, by striking out the words 'Commissioner of Banking and Insurance of the State,' and inserting in lieu thereof the words, 'County Clerk of the county wherein the principal business of said institution is conducted.'"

The amendment was adopted.

Senator Holbrook offered the following amendment to the bill:

Amend Senate Bill No. 52, Section 2, pages 3 and 4 by striking out all of Section 2, from and including the word "provided" line 26 on page 3, down to and including the word "fixed" in line 3 on page 4, and insert in lieu thereof the following:

Provided, however, that the provisions of the sections of this Act shall not apply to any person, association of persons, partnerships or trustees, or trustees acting under any common law declaration of trust, who, at the time that this Act becomes effective, are and have been for three years next preceding said date, actively engaged in the operation of any bank, trust company, bank and trust company or savings bank within this State. The right to continue such business of such bank, trust company, bank and trust company or savings bank so engaged, and that had been so engaged for a period of three years next immediately preceding the time this Act becomes effective, and by their heirs, legal representatives, assigns and successors, is expressly recognized, confirmed, and fixed.

Provided further, that the provisions of this Act shall not apply to any person, association of persons, partnerships or trustees, or trustees acting under any common law declaration of trust, who has for a period of

one year next preceding the date of this Act becomes effective, and who, as such, in the course of the liquidation of any bank or bank and trust company within this State has acquired the assets or any part thereof, including real estate used as its banking house or place of business and had assumed liabilities or a part thereof, of such liquidated bank or trust company or bank and trust company.

The amendment was adopted.

Senator Holbrook offered the following amendments to the bill:

Page 1, line 18, by striking out the word "five" and inserting in lieu thereof the word "three."

Two—Page 2, line 11, by striking out the words: "Commissioner of Insurance and Banking," and insert in lieu thereof, the words "County Clerk of the county wherein the principal business of said bank is conducted."

Three—Page 2, line 8, by striking out the word "adventure" and inserting in lieu thereof the word "ventures."

Four—By striking out page 2, line 5, the word "five" and inserting in lieu thereof the word "three."

Five—Page 2, line 12, by striking out the word "showing" and insert in lieu thereof the word "declaring."

The amendments were adopted.

Senator Holbrook offered the following amendment to the bill:

Page 2, line 6, by adding after the word "State" the following:

Providing that the provisions of this Act shall not apply to any bank or trust company or bank and trust company or savings bank that has actually been engaged in business for one year next preceding the date this law becomes effective and that in the course of liquidation of any bank or trust company or bank and trust company has acquired the assets or any part thereof, including the real estate used as its banking house or place of business, and has assumed any part of the liabilities of such liquidated bank or trust company or bank and trust company or savings bank.

The amendment was adopted.

Senator Davis offered the following amendment to the bill:

Page 5, lines 14, 15 by striking out the words "Vernon Sayle's."

The amendment was adopted.

Senator Davis offered the following amendment to the bill:

By adding after the word "Texas" line 15, page 5, the words "as amended."

The amendment was adopted.

Senator Davis offered the following amendment to the bill:

Page 1, lines 10 and 11 by striking out the words "Vernon Sayle's."

The amendment was adopted.

Senator Davis offered the following amendment to the bill:

Page 1, line 11, after word "Texas" by adding the words "as amended."

The amendment was adopted.

S. B. No. 52 was passed to engrossment.

S. B. No. 52 on Third Reading.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 52 put on its third reading and final passage by the following vote:

Yeas—19.

Baugh.	Parr.
Bowers.	Strong.
Burkett.	Stuart.
Darwin.	Thomas.
Davis.	Turner.
Doyle.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
Lewis.	

Nays—4.

Bledsoe.	Rice.
McMillin.	Woods.

Absent.

Cousins.	Ridgeway.
Pollard.	

Absent—Excused.

Bailey.	Murphy.
Clark.	Rogers.
Dudley.	

The Chair laid the bill before the House, it was read third time and passed.

S. B. No. 103 on Engrossment.

Senator Bledsoe called up S. B. No. 103 relating to the establishing of a State college to be known as the

West Texas College, which was read the second time on January 25, and laid on the table subject to call.

The Chair laid the bill before the Senate, together with pending amendment offered by Senator Bledsoe, on January 25.

Senator Bledsoe offered the following amendment to the amendments:

Amend the amendment to S. B. No. 103, as printed in the Journal by adding thereto the following section to be known as "Section No. 9."

"Section 9. The fact that Texas is producing annually millions of dollars worth of raw materials which are now being shipped to distant factories to be made into finished products together with the fact that Texas has no adequate institution for teaching technology and the art of textile manufacturing and the fact that the needs of that portion of the State where this college shall be located are inadequately supplied with educational institutions, creates an emergency and an imperative public necessity for this Act to take effect at once and for the suspension of the constitutional rule requiring bills to be read on three several days, it is therefore enacted that said rule be suspended and this Act take effect and be in force on and after its passage."

The amendment to the amendment was adopted.

The amendment as amended, was adopted.

Senator Bledsoe offered the following amendment to the bill:

Amend S. B. No. 103 by striking out all above the enacting clause and inserting in lieu thereof the following:

S. B. No. 103, A bill to be entitled "An Act to establish a State College in Texas, west of the ninety-eighth (98) meridian and north of the twenty-ninth (29) parallel, to be known as the Texas Technological College; providing for the location of such college; its government; the control of it finances; defining its leading objects and prescribing generally the nature and scope of instruction to be given; conferring upon the Board of Directors of said college the right of eminent domain; making the necessary appropriation for the purchase of land, the location,

establishing and maintenance of said college, and declaring an emergency."

The amendment was adopted.

S. B. No. 103 was passed to engrossment.

Requesting House to Return S. B. Nos. 92 and 93.

Senator Parr offered the following motion:

I move that the Senate request the House to return to the Senate S. B. No. 92 and S. B. No. 93 for correction.

The motion was adopted.

S. B. No. 32 on Second Reading.

On motion of Senator Davis, by unanimous consent, the regular order of business was suspended, and the Senate took up on its second reading,

S. B. No. 32, A bill to be entitled "An Act creating two additional District Courts for Dallas County, defining their jurisdiction, adjusting the duties of the District Clerk with respect thereto, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

The Chair laid the bill before the Senate and it was read second time.

Senator Davis offered the following amendment to the bill:

"By striking out the words 'eighty-fourth' wherever they appear in said bill and inserting in lieu thereof the words 'Ninety-fourth.' "

The amendment was adopted.

Senator Davis offered the following amendment to the bill:

By striking out the words "Eighty-seventh" wherever they appear in said bill and inserting in lieu thereof the words "Ninety-fifth."

The amendment was adopted.

S. B. No. 32 was passed to engrossment.

S. B. No. 55 Recommitted.

On motion of Senator Holbrook, S. B. No. 55 was recommitted to the Committee on Insurance and Banking.

S. B. No. 103—Additional Author.

On motion of Senator Bledsoe, the name of Senator Stuart was ordered added as one of the authors of S. B. No. 103.

Excused.

Senator Clark for today, on account of sickness, on motion of Senator Woods.

Senator Rogers for today, on account of important business, on motion of Senator Witt.

Addition to Committee.

On motion of Senator Bledsoe, by unanimous consent, Senator Clark was added to the Committee on Public Lands and Land Office.

Bills Read and Referred.

The Chair, Lieutenant Governor T. W. Davidson, had referred, after their captions had been read, the following House Bills:

H. C. R. No. 8, referred to the Committee on Educational Affairs.

H. B. No. 64, referred to the Committee on Penitentiaries.

H. B. No. 168, referred to the Committee on Educational Affairs.

H. B. No. 64, referred to the Committee on Judicial Districts.

Bills Signed.

The Chair, Lieutenant Governor T. W. Davidson, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 80.

H. B. No. 77.

S. B. No. 157.

H. B. No. 49.

H. B. No. 59.

S. C. R. No. 14.

H. B. No. 21.

Message from the House.

Hall of the House of Representatives, Austin, Texas, January 26, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 14, giving permission to Miss Edna Collins to authorize the construction of a platform enabling her to make an accurate copy of the portrait of David Crockett.

H. C. R. No. 8, relating to the appointment of a joint committee to visit and inspect the proposed site or sites for the re-location of the Penitentiary System.

H. B. No. 64, A bill to be entitled "An Act to regulate the organization of the County Courts of Dallas County at Law, and judges thereof, and to secure uniformity therein, by prescribing that the County Court of Dallas County at Law shall be called the County Court of Dallas County at Law No. 1; by fixing an equal number of terms of said courts, and prescribing that they commence on alternate months to authorize the judges thereof to hold court for or with another; to prescribe a uniform qualification for the judges; prescribe what fees they shall collect and how they shall be paid into the county treasury; to require the oath of office, and remove the requirement of official bonds for the judges; to continue the term of the County Court of Dallas County No. 2; to conform to this Act; to validate process thereof and of the County Court of Dallas County at Law, in conformity with this Act; to repeal laws in conflict therewith and to declare an emergency."

H. B. No. 168, A bill to be entitled "An Act amending Section 23 of an Act passed at the First Called Session of the Thirty-fifth Legislature of the State of Texas, entitled 'An Act to create a permanent textbook commission for the State of Texas, to be styled The Texas State Textbook Commission; defining its membership and appointment,' etc.; being Senate Bill No. 16, Chapter 44, of said Acts of the First Called Session of the Thirty-fifth Legislature, and to repeal all laws in conflict herewith, and declaring an emergency."

S. B. No. 157, A bill to be entitled "An Act creating the Rankin Independent School District in Upton County, Texas, enlarging and defining its boundaries; including the present Rankin Independent School District, providing for a board of trustees in said District, comprising upon said District and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts, and the board of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms; providing for the vali-

dation of the maintenance tax and bonds heretofore voted in said District; providing that the outstanding bonded indebtedness of said District shall remain in full force, and declaring an emergency."

Respectfully submitted,
C. L. PHINNEY,
Chief Clerk House of Representatives.

Adjournment.

Senator Bledsoe moved that the Senate adjourn until 1 p. m. tomorrow.

Senator Wood moved that the Senate adjourn until 10 o'clock a. m. Monday.

Yeas and nays were demanded and the Senate adjourned until 10 o'clock a. m. Monday by the following vote:

Yeas—12.

Burkett.	Pollard.
Cousins.	Rice.
Darwin.	Turner.
Floyd.	Wirtz.
Holbrook.	Wood.
Lewis.	Woods.

Nays—11.

Bledsoe.	Parr.
Bowers.	Strong.
Davis.	Stuart.
Doyle.	Thomas.
Fairchild.	Witt.
McMillin.	

Absent.

Baugh.	Rogers.
Ridgeway.	Watts.

Absent—Excused.

Bailey.	Dudley.
Clark.	Murphy.

APPENDIX.

Petitions and Memorials.

Senator Burkett offered and had read a telegram from M. T. Barnett, General Chairman Brotherhood of Locomotive Engineers T. & P. Railway, urging repeal of Open Port Law and giving instances of purported violations of sanctity of homes by Rangers.

Committee Reports.

Committee Room,
Austin, Texas, January 25, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 184, A bill to be entitled "An Act to amend Article 904, and adding Article 904-a, and amending Article 921 and adding Articles 921a and 921b, relating to Corporation Courts in cities having a population of one hundred and fifty thousand inhabitants, or more, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass.

RIDGEWAY, Chairman.

Committee Room,
Austin, Texas, January 25, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 146, A bill to be entitled "An Act to amend Article 619, Sections 1, 2, 3, 4, and 5, Chapter 3, Title 107, General Laws of Texas, Acts of the Thirty-sixth Legislature, Fourth Called Session, 1920, relating to creating Pilot Boards in navigation districts containing cities of one hundred thousand population, or more, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass.

RIDGEWAY, Chairman.

Committee Room,
Austin, Texas, January 26, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 62 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,
Austin, Texas, January 26, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill

No. 84 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, January 26, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 31, and find the same correctly enrolled and have this day at 12 o'clock p. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,

Austin, Texas, January 26, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 34, and find the same correctly enrolled and have this day at 12 o'clock p. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,

Austin, Texas, Jan. 26, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Concurrent Resolution No. 13, and find the same correctly enrolled and have this day at 12 o'clock p. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,

Austin, Texas, Jan. 23, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully compared Senate Bill No. 60, and find the same correctly enrolled and have this day at 12:15 o'clock p. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,

Austin, Texas, Jan. 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 67, A bill to be entitled "An Act to require the teaching of vocational studies in the public

schools of Texas such as agriculture, horticulture, stock raising, home economics and kindred studies, and to require the President of A. & M. College and the State Commissioner of Agriculture to formulate courses of study in the department herein created, and to require the State Superintendent of Public Instruction and Commissioner of Agriculture to formulate regulations for teaching both literary and vocational studies in public school houses, and requiring the State University and its subsidiary branches to give special attention to the education of teachers to teach in the lower public schools, and authorizing the selection of candidates for teachership, and requiring district selecting such candidates to pay all expenses of educating such candidates when so educated to teach in the lower schools and also to pay back to the school district that selected them all moneys forwarded to them by said district, and prescribing a penalty on teachers that default in such teaching, or in such payment of funds, and in order to provide means for school district to pay such expenses a school farm to be attached to every public school house and the proceeds of such farm be devoted, after paying for farm, to defray the expenses of candidates for teachership at the higher schools, and point out how such farms be acquired, held and operated, and requiring School Trustees and the teacher of vocational studies to manage such farm and prescribing payment for such services, and requiring all pupils attending the school to render service on said farms and prohibiting the payment of other than pupils for work on the school farm, and to require the building a teachers' home, and requiring the occupant of such home to keep up all repairs, and insure same; and providing when teachers equipped under this Act are duly retired that they be granted an annuity, and creating a sinking fund for paying such annuities by requiring all repayment of moneys forwarded to teachers for their education to go into this fund, and also requiring all teachers to pay a small per cent of their annual salaries as teacher into this fund, and how such contributions shall be estimated, and requiring that all the funds received from the Federal Government for aiding agricultural education be de-

voted to carrying out the measures provided for in this Act, and enacting when this Act shall take effect."

Have had the same under consideration, and I am instructed by the committee to report the same back to the Senate with the recommendation that it do pass.

WOOD, Chairman.

Committee Room,

Austin, Texas, January 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 176, A bill to be entitled "An Act changing the name of the State Normal Colleges of this State, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOOD, Chairman.

Committee Room,

Austin, Texas, January 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 180, A bill to be entitled "An Act to amend Article 2895 R. S. 1911, fixing the time of employment and limiting the term of employment of superintendents, principal and teachers in independent school districts, and creating an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOOD, Chairman.

Committee Room,

Austin, Texas, January 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 179, A bill to be entitled "An Act to amend Article 2771 R. S. 1911 as amended by Thirty-fifth Legislature, Chapter 160, reducing the amount of bond required of depositories of independent districts."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOOD, Chairman.

Committee Room,

Austin, Texas, January 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 189, A bill to be entitled "An Act to amend Article 2894, R. S. 1911, reducing the scholastic age to six years and removing the maximum limit of free school age."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOOD, Chairman.

Committee Room,

Austin, Texas, January 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 194, A bill to be entitled "An Act to amend Section 2 of Chapter 36, General Laws of the Regular Session of the Thirty-fourth Legislature and add Section 9a relating to the election of the county school trustees and prescribing additional duties of said trustees and creating an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOOD, Chairman.

Committee Room,

Austin, Texas, January 26, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 168, A bill to be entitled "An Act amending Section 23, of an Act passed at the First Called Session of the Thirty-fifth Legislature entitled 'An Act to create a permanent Text Book Commission for the State of Texas, to be styled 'The Texas State Text Book Commission,' defining its membership and appointment;' etc., being Senate Bill No. 16, Chapter 44, of said Acts of the First Called Session of the Thirty-fifth Legislature, and to repeal all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed by

the committee to report the same back to the Senate with the recommendation that it do pass.

WOOD, Chairman.

Committee Room,

Austin, Texas, Jan. 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 183, A bill to be entitled "An Act creating and establishing a Common School District, to be known as Common School District No. 49, composed of parts of Fannin and Hunt Counties; and validating, and authorizing, and directing the Attorney General to approve the bonds heretofore issued by said district in the sum of Two Thousand Five Hundred Dollars, but not approved by the Attorney General, and declaring an emergency."

Have had the same under consideration, and I am instructed by the Committee to report the same back to the Senate with the recommendation that it do pass and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, January 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 188, A bill to be entitled "An Act creating the Crawford Independent School District in McLennan County, Texas; defining its boundaries, including the present Crawford Independent School District; providing for a Board of Trustees in said district, conferring upon said district and its boards of trustees all the rights, powers, privileges, and duties now conferred and imposed by the General Laws of Texas upon Independent School Districts, and the boards of trustees thereof, or any other law or laws that may be hereafter enacted governing Independent School Districts created or incorporated for free school purposes only under the General Laws of this State; providing that the present board of trustees continue in office until the expiration of their respective terms; and declaring an emergency."

Have had the same under consideration, and I am instructed by the Committee to report the same back to the Senate with the recommendation that it do pass, and being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, Jan. 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 171, A bill to be entitled "An Act creating the West Independent School District in the County of McLennan, State of Texas; defining its boundaries; providing for a Board of Trustees to manage and control the public free schools within said district; divesting the City of West and the Old West Independent School District, as heretofore created, of the control of its public free schools, and the title of all property now held and used for free school purposes; and vesting the same in the West Independent School District as here created, and its Board of Trustees; and providing that all moneys now on hand or to be hereafter acquired for school purposes from the sale of bonds or otherwise be delivered by the City of West or the West Independent School District, as heretofore existing, unto the Board of Trustees of the West Independent School District as here created; and providing for the assessment and collection of taxes; and for the appointment and election by the Board of Trustees for a Treasurer and other officers; granting power unto said Board of Trustees to issue bonds and providing for a sinking fund therefor; granting power unto said Board of Trustees to purchase school sites and to erect, furnish, equip and maintain schools and school buildings within said district; and granting such other powers as are granted by general law to cities and towns incorporated for school purposes only; and providing for an emergency."

Have had the same under consideration, and I am instructed by the committee to report the same back to the Senate with the recommendation that it do pass and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: We, your Committee on
Educational Affairs, to whom was re-
ferred

H. B. No. 131, A bill to be entitled
"An Act to amend Article 2643 of
Chapter 2, Title 48, Revised Civil
Statutes of Texas, 1911, providing
that the Board of Regents of the Uni-
versity of Texas, when authorized by
specific legislation, may expend the
interest of the Permanent Univer-
sity fund for the permanent improve-
ments; providing that any contract
made in any manner or for any pur-
pose as in said Article 2643, speci-
fied, shall be null and void; and de-
claring an emergency."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass with
the following committee amend-
ments:

Committee Amendment No. 1.

"Amend House Bill Number 131
by striking out all of Section One af-
ter the word 'follows' and by insert-
ing in lieu thereof the following:

"Article 2643. The Board of Re-
gents of the University of Texas shall
expend the interest which has hereto-
fore accrued and may hereafter ac-
cruce on the permanent University
fund, and the income of said fund
and land resulting from their use,
including the proceeds from grazing
leases, for permanent improvements
to be erected on the campus of the
University of Texas or at any of the
branches of the University, and the
Board of Regents may pledge said in-
terest and income for a term of not
exceeding fifteen years to make said
funds immediately available. Any
contract for the expenditure of said
interest and income for any other
purpose shall be void."

Committee Amendment No. 2.

"Amend House Bill No. 131 by
changing the Section number of Sec-
tion 'Two' to Section 'Three' and
insert following Section 'One' a
new section to be designated Section
Two, as follows:

"All laws and parts of laws in con-
flict herewith are hereby expressly
repealed."

Committee Amendment No. 3.

"Amend House Bill No. 131 by
changing the caption to conform to
the foregoing amendments so that
hereafter it shall read as follows:

"An Act to amend Article 2643 Re-
vised Statutes of Texas of 1911, set-
ting aside the interest and income
from the University Permanent Fund
and lands for the purpose of con-
structing permanent improvements
on the campus of the University or
its branches, declaring void any con-
tract for the expenditure of said
funds for any other purpose, repeal-
ing all laws in conflict herewith, and
declaring an emergency."

WOOD, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, January 26, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: We, your Committee on In-
surance and Banking, to whom was re-
ferred

S. B. No. 57, A bill to be entitled
"An Act to amend Chapter 15 of an
Act of the Thirty-sixth Legislature,
passed at its Regular Session, which
Act was approved February 19, 1919,
and was known as Chapter 15 of the
laws of said Legislature, so as to pro-
vide that said Act shall not apply to
policies of insurance covering upon
personal property and to make said
Act read as hereinafter set out and
to repeal all laws and parts of laws
in conflict herewith, and declaring an
emergency."

Have had the same under considera-
tion, and I am instructed to report the
same back to the Senate with the
recommendation that it do pass.

HOLBROOK, Chairman.

(Minority Report).

Committee Room,
Austin, Texas, January 26, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: I, a minority of your Com-
mittee on Insurance and Banking, to
whom was referred S. B. No. 57,
have had same under consideration,
and beg leave to report same back to
the Senate with the recommendation
that it do not pass.

WOOD.

(Majority Report.)

Committee Room,
Austin, Texas, January 26, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, a majority of your Committee on Insurance and Banking, to whom was referred

S. B. No. 111, A bill to be entitled "An Act to amend Sections 3 and 15 of Chapter 15, being Senate Bill No. 4, of the Acts of the Thirty-first Legislature of the State of Texas, passed at its Second Called Session, in 1909, and being Articles No. 447 and 491 of Vernon's Sayles' Revised Statutes of the State of Texas, providing that all banks and trust companies mentioned in Article 445 of the Revised Statutes of the State of Texas, shall have the right to secure its depositors under the terms, provisions and regulations set forth in said Chapter 15, either by the Guaranty Fund or Bond Security system and providing how said banks shall avail themselves of said provisions, and providing that every State bank and trust company doing business under the State banking laws of the State of Texas shall secure its depositors either by the Guaranty Fund or the Bond Security system, and shall have the right to change from one system to the other at any time after proper notice to the Banking Commissioner of Texas, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do no pass.

HOLBROOK, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, January 26, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: I, a minority of your Committee on Insurance and Banking, to whom was referred S. B. No. 111, have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

Committee Room,

Austin, Texas, January 26, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Insurance and Banking, to whom was referred Simple Resolution No. 46, with reference to an investigation of the operations under the Work-

men's Compensation Law which provides for the organization of the Texas Employers' Insurance Association, have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

Committee Room,

Austin, Texas, January 26, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Insurance and Banking, to whom was referred

S. B. No. 49, A bill to be entitled "An Act to create and provide for a Department of Insurance for the State of Texas, separate and distinct from the Department of Banking of this State, to provide for the appointment, term of office, name, compensation and to prescribe the qualifications and the powers and duties of the head of such Department; to provide for a seal of such office; to require of the Commissioner of Insurance an oath of office, and a bond, for the faithful discharge of his duties. To provide for a Deputy Commissioner, and to define the duties and powers and obligations of the Deputy Commissioner, and to provide for actuaries and examiners and for clerical help for such Department. To amend Chapter 7 of Title 65 of the Revised Statutes of the State of Texas, and particularly to amend Articles 4485, 4486, 4487, 4488, 4489, 4490, 4491, and 4492, and to repeal all laws and parts of laws in conflict herewith, and to declare an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

Committee Room,

Austin, Texas, January 26, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Insurance and Banking to whom was referred

S. B. No. 55, A bill to be entitled "An Act to amend Section 14 of an Act of the Thirty-third Legislature of the State of Texas, approved April 2, 1913, known as Chapter 106,

of the Laws of the Thirty-third Legislature, Regular Session, found in the Printed Laws, page 195, at page 201, so as to authorize the State Insurance Commission to give credit for a good fire record made by any city, town, village or locality, and also to authorize the said State Insurance Commission to provide a penalty for a bad fire record made by any city, town, village or locality. To repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 132, A bill to be entitled "An Act to amend Article 1460, Chapter 2, Title 29 of the Revised Civil Statutes of 1911, as amended by Chapter 131, General Laws, passed at the Regular Session of the Thirty-fourth Legislature, and as further amended by Chapter 134, General Laws, passed at the Regular Session of the Thirty-fifth Legislature, relating to the appointment and compensation of County Auditors and compensation of county auditors in counties containing a population of forty thousand or over, or having a taxable valuation of fifteen million dollars, or over, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BURKETT, Vice-Chairman.

Committee Room,

Austin, Texas, Jan. 25, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 138, A bill to be entitled "An Act fixing in counties having a population in excess of one hundred and fifty thousand inhabitants, the compensation of district attorney and providing for the appointment

of assistant district attorneys, investigators, stenographers, deputies and other employees and providing for their salaries and the manner of their payment, and repealing all laws in conflict herewith, with exceptions and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BURKETT, Vice-Chairman.

FIFTEENTH DAY.

Senate Chamber,

Austin, Texas,

Monday, January 29, 1923.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem R. M. Dudley.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
Lewis.	Woods.

Absent.

Ridgeway.

Prayer by the chaplain.

Pending the reading of the Journal of Friday, the same was dispensed with on motion of Senator Murphy.

See Appendix for Petitions and Committee Reports.

Excused.

Lieutenant Governor T. W. Davidson, until Wednesday, on account of important business, on motion of Senator Doyle.